

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF

October 10, 1997

(Published October 18, 1997,
in Finance and Commerce)

Council Chamber

Minneapolis, Minnesota

October 10, 1997 – 9:30 a.m.

President Cherryhomes in the Chair.

Present – Council Members Thurber,
Campbell, Biernat, Niland, McDonald, Minn,
Mead, Scott, Herron, Dziedzic, President
Cherryhomes.

Absent – Schulstad, Rainville.

Campbell moved approval of the minutes of
the regular meeting of September 26, 1997, and the
adjourned session held October 1, 1997. Seconded.

Adopted upon a voice vote.

Campbell moved referral of petitions and
communications and reports of the City officers to
proper Council committees and departments.

Seconded.

Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS

CLAIMS:

CITY CLERK (263144)

Armstrong, Jonia; Anderson, Kathryn & Atty
Keith J Kerfeld; Anderson, Tami/Allina Health
System; Baker, Duane V Jr; Barnes, Otis & Atty
Steven J Terry (2); Batchelder, Helen A (2); Budd,
Elaine & Atty David M Bolt; Butler, Estella;
Campbell, A Doris; Fehling, Gordon & Irene;
Gardner, Sandy J & Atty Michael C Snyder;
Gatlin, Janine; Gehlen, Barbara; Geske, Craig;
Gillespie, Austin D; Husney, Edward/Methodist
Hospital; Lowery, Margaret M; Mantey, Maria
Lee; Mascaro, Kimberly; Minnegasco; Murray,

Victoria M; Parker, Gene Estate & Atty Frederick J
Goetz; Petersen, Gordon; Reveria, Anthony;
Rissanen, Danelle; Scranton, Paul J; Shay, Ryan J;
Thunder, Ramsey A; Wahoff, David, MD, PhD;
Walker, Tony L; Williams, Carri R; Wilson, Nathan
R.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (263145)

Lot Division (2445 15th Av S): Apprv division
& waive subdivision plat requirement
w/survey, map & pub hrg notice.

Federal Home Loan Bank: Approp funds to pay
interest expense to bank & make mortgage
grants.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (263146)

Garelick Steel (1900 2nd St N): Approp funds
reflecting receipt of contamination cleanup grant
funds from Metro Council.

Upper Harbor River Terminal: Apprv Amend #2
to 1997 River Terminal Operating Budget,
w/attach.

City Place (100 E 22nd Associates): Pass resl
giving final apprvl to issue refunding bonds for
facility at 730 Henn Av occupied by Metro State
University.

Laurel Village Alden Ltd Partnership (John
Alden Apts, 1205 Hawthorne Av): Pass resl giving
final apprvl to issue refunding bonds, w/map.

PLANNING COMMISSION/DEPARTMENT
(263147)

Phillips Park Proj: Comments adopted
10/8/97. See Rep of September 12, 1997.

INTERGOVERNMENTAL RELATIONS

(See Rep):

LIAISON/FEDERAL, LOCAL AND STATE
(263148)

Tax Class Rate for Single-Unit Rental
Property: Local apprvl of Laws of MN 1997,
Chap 231, Article 1, Section 11.

PUBLIC SAFETY AND REGULATORY

SERVICES (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES
(263149)

Health Education Consulting Servs: Issue RFP.
School Health Servs: Agrmt w/Mpls Public
Schools.

Research Servs: Agrmt w/David M. Griffith &
Associates.

INSPECTIONS DEPARTMENT (263150)

Rental Dwelling Lic Bd of Appeals: Appt/
Reappts.

Raze Bldgs: Raze 2018 Russell Av N & 1110
36th St E.

LICENSES AND CONSUMER SERVICES
(263151)

Lics: Appls.

Church of the Holy Cross: Grant gambling lic,
1621 University Av NE; and rescind Council action
of 9/26/97 re Church of the Holy Name, 3637 11th Av
S.

POLICE DEPARTMENT (263152)

Leased Office Space: Lease for covert space w/
specialized facilities.

PUBLIC SAFETY AND REGULATORY

SERVICES and WAYS & MEANS/

BUDGET (See Rep):

POLICE DEPARTMENT (263153)

Donation: Accept exercise & workout
equipment from Lifetime Fitness, Inc, for Downtown
Command.

State Bureau of Criminal Apprehension Grant:
Grant of \$16,000.

Auto Theft Reduction Prog: Solicit funds and/
or vehicles for prog.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (263154)

Uncontrolled Intersections and Stop Sign
Installations: Summary report; Staff recmd
complete Stop Sign Plan to control remaining 793
uncontrolled intersections.

TRANSPORTATION AND PUBLIC WORKS

(See Rep):

PUBLIC WORKS AND ENGINEERING
(263155)

Water and Sewer Service Line Repairs or
Replacements: Adopt & levy assessments;
w/objection.

Snow and Ice Removal from Public Sidewalks
during 1996/97 Winter Season: Adopt and levy
assessments; w/objections.

Sidewalk Repair and Construction: Adopt and
levy assessments on certain props, w/objections.

Stadium Village Special Service District:
Etab District and Appoint temporary advisory
board.

Reconstruction of E 50th St from I-35W
bridge to Nicollet Av S: Hold harmless State of
MN from granting variance to permit reconstruc-
tion w/design speed less than 50 KPH.

TRANSPORTATION AND PUBLIC WORKS

and WAYS & MEANS/BUDGET:

PUBLIC WORKS AND ENGINEERING (263156)

Summer 1997 Flooding: Report on creation of
Stormwater Flood Mitigation Program.

TRANSPORTATION AND PUBLIC WORKS

and WAYS & MEANS/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (263157)

Kenwood Water Tower: Amend lease terms w/
Sprint Spectrum to allow City forces to perform some
construction repair that otherwise would be
provided by Sprint; and Approp funds.

PURCHASING (263158)

Bids: Accept OP #4700, low bid mtg specs of
Armor Tanking Lining for PVC Lining System for
Concrete Storage Tanks.

WAYS AND MEANS BUDGET:

**COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (263159)**

Flood Relief Funding: Rep on preliminary
apprvl to use flood relief funds from MN Hsg
Finance Agency.

REGULATORY SERVICES (263160)

Gtr Mpls Convention & Visitors Assn Quarterly
Performance Rep, 2nd Quarter of 1997.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (263161)

Settlements: Claims of Vicki Anderson, Gerald
& Francine Overbo & Alisa R. Clemons.

Fair Labor Standards Act (FLSA) Case:
Settlement of Dist Fire Chiefs' suit.

CITY COUNCIL (263162)

1998 City Council Calendar

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (263163)

River Station Proj: Recm request for street-
scape funding be referred to 1998 capital budget
process.

COORDINATOR (263164)

Alternative Dispute Resolution (ADR) Prog:
14-month prog budget.

GRANTS AND SPECIAL PROJECTS (263165)

Weed & Seed Prog: Accept grant from U.S.
Dept of Justice for Central Proj, accept grant
from MN Dept of Pub Safety for Central, Phillips &
Northside Projs; Auth addn of three Admin Asst I
positions in Grants & Special Projs Office to serve
as Weed & Seed Prog Coordinators.

Police Info System Grant: Accept grant from
U.S. Dept of Commerce to implement a shared info
system with area law enforcement agencies.

HEALTH AND FAMILY SUPPORT SERVICES
(263166)

Sumner-Glenwood Neighborhood: Issue Fund
Avail Notice to Club Fed, Inc. to receive NRP funds.

Welfare-To-Work Prog: Receive grant funds
from Neighborhood Employment Network to
administer home health care employment prog;
Issue Fund Avail Notice to Mpls Urban League &
Pillsbury United Neighborhood Servs to provide
servs.

PLANNING COMMISSION/DEPARTMENT
(263167)

Minneapolis Plan: Auth addnl compensation to
Artcraft Press for printing.

PURCHASING (263168)

Bid: OP #4695, accept low bid of John A. Dalsin
& Son, Inc. for removal and replacement of roof
expansion joints at Mpls Convention Ctr.

WAYS AND MEANS BUDGET and ZONING AND PLANNING (See Rep):

ATTORNEY (263169)

Settlement of Zoning Dispute: Issue non-
conforming use certificate & pay atty fees re lawsuit
of Henry & Mary Davis.

ZONING AND PLANNING:

INSPECTIONS/BOARD OF ADJUSTMENT
(263170)

Exception Filed: Cecile Bedor, for Central

Community Housing Trust: 2305-07 Portland Av S,
w/Attachment.

ZONING AND PLANNING (See Rep):

ATTORNEY (263171)

Sumner Field Public Housing Demolition

Project: Auth execute Memorandum of Agrmt betw
City, MN State Historic Preservation Office &
Advisory Council on Historic Preservation.

CITY CLERK/SPECIAL PERMITS (263172)

46th Av S, 4528 (Kevin T Sullivan) rebuild front
porch.

INSPECTIONS/BOARD OF ADJUSTMENT
(263173)

Exceptions Filed: Cecile Bedor, for Central
Community Housing Trust: 2217 Portland Av S;
Cecile Bedor, for Central Community Housing Trust:
2828 Portland Av S; Linda Lee: 3622 Harriet Av S, w/
Attachments; Christian Gerardin: 4029-44th Av S, w/
Attachments.

PLANNING COMMISSION/DEPARTMENT
(263174)

Appeal Filed: Prospect Park & East River Road
Improvement Assn: Appeal filed from decsn apprvg
appl of Wedum Founding, c/o Dunbar Dev Corp, for
condl use permit for Planned Residential
Development at 2515 University Av SE.

PLANNING COMMISSION/DEPART-MENT
(263175)

Rezoning: Don Rosacker: 1800 McKinley St NE
& 1850 Stinson Blvd.

Vacations: Don Rosacker: Part of "T" alley in
blk bounded by 18th & 19th Avs NE, McKinley St &
Benjamin Sts NE; Don Rosacker: Approx 160' of
McKinley St NE lying N of the N right-of-way line of
18th Av NE.

Environmental Assessment Worksheet: Ray
Harris, for Urban Consulting Group, Inc: Staff rep
req discretionary EAW for Sears project located at
Lake St & Chicago Av S.

PLANNING COMMISSION:

KAMMAN, WILLIAM A (263176)

Permsn to vacate part of Linden Av betw 11th
& 12th Sts N, vic Hawthorn Av.

KRAUS-ANDERSON CONSTRUCTION CO
(263177)

Permsn to vacate alley W of Girard Av N betw
21st & 22nd Avs.

UNFINISHED BUSINESS:

MAYOR (263178)

Veto action: Stating reasons for veto of Claims
Cmte report of 9/26/97.

FILED:

CITY CLERK/SPECIAL PERMITS (263179)
34th Av S, 5355 (Suburban Lighting Inc) sign;
Chicago Av S, 1921 (Armando Gutierrez G) fire-
works; France Av S, 5353 (Topline Advertising)
sign; Hennepin Av, 1113 (Arrow Sign and
Awning) sign; Island Av W, 95 (Chris Steller)
move a garage; Lake St E, 3232 (Topline
Advertising) sign; Nicollet, 1000 (Conroy Bros
Co) above ground diesel storage tank; Nicollet Av
S, 4601 (Suburban Lighting Inc) sign; Oak Grove
St, 519 (The Cathedral Church of St Mark)
animals; Penn Av S, 5400 (Jensen's Car Care)
sign.

FINANCE DEPARTMENT (263180)
Investment Management System & Reconcilia-
tion Report thru August 31, 1997.

FINANCE DEPARTMENT (263181)
Schedule of Self-supporting Revenue Bonds &
Schedule of General Obligation Bonded Debt for
9/30/97.

MAYOR (263182)
Unsigned actions: Stating reasons for not
signing CD & W&M/Budget report re Steel Prep
Co; Conflict of interest for W&M/Budget report re
Canadian Pacific Railway. (See Reports of
9/26/97)

**REPORTS OF
STANDING COMMITTEES**

The **COMMUNITY DEVELOPMENT** Committee
submitted the following reports:

Comm Dev – Your Committee, having under
consideration the division of the lot at 2445 15th
Av S, and having conducted a public hearing
thereon, now recommends passage of the
accompanying resolution approving the division
and waiving the requirement of a subdivision plat.
(Petn No 263145)

Your Committee further recommends that this
action be transmitted to the Board of Commissioners
of the Minneapolis Community Development
Agency.

**RESOLUTION 97R-309
By Niland**

**Approving the subdivision of a lot at 2445
15th Avenue South.**

Whereas, the Minneapolis Community
Development Agency (MCDA) has requested that a

parcel of land located at 2445-15th Avenue South
and legally described as:

West 98-1/2 feet of South 1/2 of Lot 7, Block 8,
Gales First Addition to Minneapolis, be subdivided
as follows:

Parcel A: The North 15 feet of the South 1/2 of
the West 98-1/2 feet of Lot 7, Block 8, Gales First
Addition to Minneapolis; and

Parcel B: The South 1/2 of the West 98-1/2 feet
of Lot 7 except the North 15 feet thereof, Block 8,
Gales First Addition to Minneapolis; and

Whereas, the MCDA intends to convey the
subdivided parcels to the owners of adjacent
properties legally described as:

Parcel A (2445-15th Avenue South):
The North 1/2 of Lot 7, Block 8, Gales 1st
Addition to Minneapolis; and

Parcel B (2445-15th Avenue South):
West 98-1/2 feet of North 1/2 of Lot 6, Block 8,
Gales 1st Addition to Minneapolis; and

Whereas, the proposed subdivision conforms
with Minnesota Statutes Section 462.358 and Land
Subdivision Regulations adopted by the
Minneapolis Planning Commission on May 27, 1981;
and

Whereas, pursuant to due notice thereof
published in Finance and Commerce on September
18, 1997, a public hearing on said subdivision and
proposed sale was duly held in a joint meeting of the
Community Development Committee of the City
Council and the Operating Committee of the MCDA
on September 29, 1997, in Room 319, Minneapolis
City Hall, 350 South 5th Street, in the City of
Minneapolis, County of Hennepin, State of
Minnesota;

Now, Therefore, Be It Resolved by The City
Council of The City of Minneapolis:

That the division of the above described
property be approved and the requirement of a
subdivision plat be waived.

Be It Further Resolved that a certified copy of
this resolution shall be attached to the deeds
conveying the subdivided parcels.

Adopted. Yeas, 11; Nays, none.

Absent – Schulstad, Rainville.

Passed October 10, 1997. J. Cherryhomes,
President of Council.

Approved October 16, 1997. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.

Comm Dev – Your Committee recommends passage of the accompanying resolution:

a. increasing the (Federal Home Loan Bank) Fund (EED) appropriation by \$74,700 to pay interest expense charged by the Federal Home Loan Bank, to pay service charges, and to make mortgage grants to employees of borrowing companies; and

b. increasing related revenue by \$85,400. (Petr No 263145)

RESOLUTION 97R-310

By Niland

**Amending The 1997 Minneapolis
Community Development Agency Appropriation
Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund EED—(Federal Home Loan Bank) by \$74,700 and increasing the Fund EED (3680-01 Interest) revenue by \$85,400.

Adopted. Yeas, 11; Nays, none.

Absent – Schulstad, Rainville.

Passed October 10, 1997. J. Cherryhomes,
President of Council.

Approved October 16, 1997. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.

**The COMMUNITY DEVELOPMENT and
WAYS & MEANS/BUDGET Committees**
submitted the following reports:

Comm Dev & W&M Budget -Your Committee recommends approval of Amendment No 2 to the 1997 River Terminal Operating Budget as set forth in the “1997 Mid-Year Projections” column of Exhibit 1 in Petr No 263146. Amendments to the Operating Budget are governed by the Operating Agreement between the City and River Services, Inc dated December 28, 1995.

Adopted. Yeas, 11; Nays, none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles
Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Comm Dev & W&M Budget – Your Committee, having under consideration a Metropolitan Council grant awarded to the City in

the amount of \$238,148 for pollution remediation on the Garelick Steel site at 1900 2nd St N, now recommends passage of the accompanying resolution increasing the State Grants Loans Fund (SMN) appropriation by \$238,148 for pass through to the Garelick Holding Company, and increasing related revenue to reflect receipt of the grant funds. (Petr No 263146)

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

RESOLUTION 97R-311

By Niland and Campbell

**Amending The 1997 Minneapolis
Community Development Agency Appropriation
Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund SMN-State Grants Loans by \$238,148; and increasing the Fund SMN revenue (3215-13 Other Minnesota Grants) estimate by \$238,148.

Adopted. Yeas, 11; Nays, none.

Absent – Schulstad, Rainville.

Passed October 10, 1997. J. Cherryhomes,
President of Council.

Approved October 16, 1997. S. Sayles
Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Comm Dev & W&M/Budget - Your Committee recommends passage of the accompanying resolution giving final approval to the issuance of up to \$2,885,000 of Tax Exempt Minneapolis Community Development Agency (MCDA), Limited Tax Supported Development Refunding Revenue Bonds, Common Bond Fund, Series 1997, and to the issuance of up to \$250,000 in Taxable MCDA, Limited Tax Supported Development Revenue Bonds, Common Bond Fund, Series 1997, for 100 East 22nd Associates (City Place), to be issued through the Minneapolis Common Bond Fund, and designating the Bonds as bonds entitled to the security provided by Ordinance No 87-Or-084, Tax Reserve and Pledge Ordinance. This refunding will refinance the facility at 730 Hennepin Av occupied by the Metropolitan State University. (Petr No 263146)

Your Committee further recommends, pursuant to MCDA Resolution No 87-171M adopted by the Board of Commissioners of the MCDA on July 16, 1987, that these Common Fund Bonds be designated, if and when issued, as bonds entitled to the security provided by Ordinance No 87-Or-084.

Your Committee further recommends summary publication of the above-described resolution.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Niland moved a substitute resolution for the above-mentioned resolution. Seconded.

Adopted by unanimous consent.

The report was adopted.

Yeas, 11; Nays, none.

Absent - Schulstad, Rainville.

Passed October 10, 1997.

Approved October 10, 1997. J. Cherryhomes, Acting Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published October 15, 1997).

Resolution 97R-312, entitled "Giving final approval to and authorizing the issuance of tax-exempt revenue refunding bonds and taxable revenue bonds of the Minneapolis Community Development Agency to refinance a project on behalf of 100 East 22nd Associates, a Minnesota limited liability partnership, and designating the bonds under Minneapolis Code of Ordinances, Title 16, Chapter 424, as amended," was passed October 10, 1997 by the City Council and approved October 10, 1997 by the Acting Mayor. It gives final approval to issue up to \$2,885,000 of tax exempt bonds and \$250,000 of taxable bonds to refinance the facility at 730 Hennepin Av occupied by the Metropolitan State University and authorizes the Finance Officer to execute necessary certificates. The full text of the resolution is available for public inspection in the Office of the City Clerk.

(Published October 15, 1997)

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-312

By Niland and Campbell

Giving final approval to and authorizing the issuance of tax-exempt revenue refunding bonds and taxable revenue bonds of the Minneapolis

Community Development Agency to refinance a project on behalf of 100 East 22nd Associates L.L.P., a Minnesota limited liability partnership, and designating the bonds under Minneapolis Code of Ordinances, Title 16, Chapter 424, as amended.

Whereas, pursuant to Laws of Minnesota 1980, Chapter 595, as amended ("Chapter 595"), the City Council of the City of Minneapolis, Minnesota (the "City") established the Minneapolis Community Development Agency (the "Agency") and granted certain powers and duties to the Agency; and

Whereas, pursuant to such granted powers, the Agency has been authorized to issue revenue bonds for the purpose of providing financing and refinancing for the acquisition, construction and installation of projects consisting of properties, real or personal, used or useful in connection with a revenue-production enterprise, whether or not operated for profit; and

Whereas, by Resolution No. 82-512, as amended, of the Agency, the Agency established a common bond fund and authorized the issuance from time to time by the Agency of bonds to be secured by such common bond fund (the "Common Fund Bonds"); and

Whereas, under the terms of Minneapolis Code of Ordinances, Title 16, Chapter 422, as amended ("Chapter 422"), adopted pursuant to Chapter 595, the City Council of the City authorized the Agency to issue Common Fund Bonds; and

Whereas, by Supplemental Bond Resolution and Indenture, Resolution No. 87-143M, the Agency issued its \$3,375,000 Limited Tax Supported Development Revenue Bonds, Common Bond Fund Series 1987-1 (the "Prior Bonds"), the proceeds of which were applied to refund the outstanding principal balance of the Agency's General Revenue Development Bonds, Common Bond Fund Series 1982-1 originally issued to finance the acquisition and renovation of a general purpose office building located at 730 Hennepin Avenue in the City (the "Facility"); and

Whereas, the Facility is owned by the Agency and leased to 100 East 22nd Associates L.L.P., a Minnesota limited liability partnership, formerly 100 East 22nd Associates, a Minnesota general partnership (the "Tenant"); and

Whereas, it has been proposed by the Tenant that the Agency issue one or more series of its Common Fund Bonds, consisting of tax-exempt

bonds in the aggregate principal amount of not to exceed \$2,885,000 and taxable revenue bonds in the aggregate principal amount of not to exceed \$250,000 (collectively, the "Bonds") for the purpose of refunding and repaying the outstanding principal balance of the Prior Bonds and paying costs and expenses in connection therewith; and

Whereas, the City Council has been advised that the proposed bond issue has been submitted to the Mayor and the Planning Commission of the City of Minneapolis at least fourteen (14) days prior to consideration hereof; and

Whereas, the Agency, by resolution expected to be adopted on the date hereof, a form of which has been made available to the City Council, will give final approval to the refunding of the Prior Bonds and the issuance of the Bonds in accordance with the Act; and

Whereas, the tax-exempt Bonds shall bear interest at an average weighted interest rate not to exceed seven percent (7.0%) per annum and the taxable Bonds shall bear interest at an average weighted interest rate not to exceed eight and one-half percent (8.50%) per annum, and such Bonds shall have a maximum maturity not later than December 1, 2012, and shall have such other terms as required or permitted by the Agency's resolution, which terms are incorporated herein by reference; and

Whereas, pursuant to Minneapolis Code of Ordinances, Chapter 424, as amended ("Chapter 424"), the City may from time to time designate a series of Common Fund Bonds to be secured by the limited pledge of tax revenues authorized by Chapter 424;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council hereby gives final approval to the refunding of the Prior Bonds to refinance the Facility and the issuance by the Agency of its Bonds pursuant to the Act for the purpose of refunding the Prior Bonds and paying costs and expenses in connection therewith in the aggregate sum of not greater than \$2,885,000 for the tax-exempt Bonds and \$250,000 for the taxable Bonds.

Be It Further Resolved that the City Council hereby designated the Bonds under Chapter 424 as bonds which are and shall be entitled to the benefit of the pledge, agreements and provisions of Chapter 424.

Be It Further Resolved that the Finance Officer of the City shall execute and deliver such certificates as may be necessary on the date of

delivery of the Bonds, in order to acknowledge the application of Chapter 424 to such Bonds and the designation of such Bonds thereunder.

Be It Further Resolved that this approval of the City Council is hereby given as required by Chapter 422, as amended.

Adopted. Yeas, 11; Nays, none.

Absent - Schulstad, Rainville.

Passed October 10, 1997. J. Cherryhomes, President of Council.

Approved October 10, 1997. J. Cherryhomes, Acting Mayor.

Attest: S. Ristuben, Asst City Clerk.

Comm Dev & W&M/Budget - Your Committee recommends passage of the accompanying resolution giving final approval to the issuance of up to \$2,515,000 of Tax Exempt Minneapolis Community Development Agency (MCDA), Limited Tax Supported Development Refunding Revenue Bonds, Common Bond Fund, Series 1997, for Laurel Village Alden Limited Partnership (John Alden Apartments), to be issued through the Minneapolis Common Bond Fund, and designating the Bonds as bonds entitled to the security provided by Ordinance No 87-Or-084, Tax Reserve and Pledge Ordinance. (Petr No 263146)

Your Committee further recommends, pursuant to MCDA Resolution No 87-171M adopted by the Board of Commissioners of the MCDA on July 16, 1987, that these Common Fund Bonds be designated, if and when issued, as bonds entitled to the security provided by Ordinance No 87-Or-084.

Your Committee further recommends summary publication of the above-described resolution.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 11; Nays, none.

Absent - Schulstad, Rainville.

Passed October 10, 1997.

Approved October 10, 1997. J. Cherryhomes, Acting Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published October 15, 1997)

Resolution 97R-313, entitled "Giving final approval to and authorizing a project on behalf of Laurel Village Alden Limited Partnership, authorizing the issuance of revenue bonds of the Minneapolis Community Development Agency therefor, and designating the bonds under

Minneapolis Code of Ordinances, Title 16, Chapter 424, as amended," was passed October 10, 1997 by the City Council and approved October 10, 1997 by the Acting Mayor. It gives final approval to issue up to \$2,515,000 of revenue bonds and authorizes execution of certificates by the City Finance Officer. The full text of the resolution is available for public inspection in the Office of the City Clerk.

(Published October 15, 1997)

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-313
By Niland and Campbell

Giving final approval to and authorizing a project on behalf of Laurel Village Alden Limited Partnership (the "Company"), authorizing the issuance of revenue bonds of the Minneapolis Community Development Agency therefor, and designating the bonds under Minneapolis Code of Ordinances, Title 16, Chapter 424, as amended.

Whereas, pursuant to Laws of Minnesota 1980, Chapter 595, as amended ("Chapter 595"), the City Council of the City of Minneapolis, Minnesota (the "City") established the Minneapolis Community Development Agency (the "Agency") and granted certain powers and duties to the Agency; and

Whereas, pursuant to such granted powers, the Agency has been authorized to issue revenue bonds for the purpose of providing financing for the acquisition, construction and installation of projects consisting of properties, real or personal, used or useful in connection with a revenue-producing enterprise, whether or not operated for profit; and

Whereas, by Resolution No. 82-512, as amended, of the Agency, the Agency established a common bond fund and authorized the issuance from time to time by the Agency of bonds to be secured by such common bond fund (the "Common Fund Bonds"); and

Whereas, under the terms of Minneapolis Code of Ordinances, Title 16, Chapter 422, as amended ("Chapter 422"), adopted pursuant to Chapter 595, the City Council of the City authorized the Agency to issue Common Fund Bonds; and

Whereas, it has been proposed that the Agency issue revenue bonds in the amount of not to exceed \$2,515,000 (the "Bonds") to refinance a multifamily housing development used in the operations of the Company (the "Project"); and

Whereas, the Agency expects to give final approval to the issuance of the Bonds by a resolution to be adopted on the date hereof; and

Whereas, the Bonds shall bear interest at an average weighted interest rate not to exceed seven percent (7.00%) per annum, shall have a final maturity date not later than December 1, 2027, and shall have such other terms as required or permitted by the Agency's resolution, which terms are to be incorporated herein by reference; and

Whereas, pursuant to Minneapolis Code of Ordinances, Chapter 424, as amended ("Chapter 424"), the City may from time to time designate a series of Common Fund Bonds to be secured by the limited pledge of tax revenues authorized by Chapter 424;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council hereby gives final approval to the issuance by the Agency of the Bonds in the aggregate principal amount of not to exceed \$2,515,000 for the purpose of refinancing the Project.

That the City Council hereby designates the Bonds under Chapter 424 as bonds which are and shall be entitled to the benefit of the pledge, agreements and provisions of Chapter 424.

That the Finance Officer of the City shall execute and deliver such certificates as may be necessary on the date of delivery of the Bonds in order to acknowledge the application of Chapter 424 to the Bonds and the designation of the Bonds thereunder.

That this approval of the City Council of the City is hereby given as required by Chapter 422.

Adopted. Yeas, 11; Nays, none.

Absent - Schulstad, Rainville.

Passed October 10, 1997. J. Cherryhomes,
President of Council.

Approved October 10, 1997. J. Cherryhomes,
Acting Mayor

Attest: S. Ristuben, Asst City Clerk.

The **INTERGOVERNMENTAL RELATIONS Committee** submitted the following report:

IGR – Your Committee recommends passage of the accompanying Resolution approving Laws of

Minnesota 1997, Chapter 231, Article 1, Section 11.

RESOLUTION 97R-314
By Rainville

Approving Laws of Minnesota 1997,
Chapter 231, Article 1, Section 11.

Whereas, the Minnesota State Legislature has passed a law relating to tax class rates on single-unit rental property; and

Whereas, said law relates to a tax class rate reduction from 2.3 percent to 1.9 percent on the first \$75,000 of value and 2.1 percent on the portion of value in excess of \$75,000; and

Whereas, a portion of said law authorizes the Cities of Minneapolis and St. Paul to deny the reduced tax class rate for single-unit rental property that is not in compliance with the City's rental licensing requirements; and

Whereas, Article 1, Section 11, of said law, by its terms, requires an affirmative vote of the majority of the members of the City Council before it may become effective;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That Chapter 231, Article 1, Section 11 be now approved and the City Clerk be directed to prepare and file with the Secretary of State the required certification of approval.

Adopted. Yeas, 10; Nays none.

Declining to Vote – Minn.

Absent – Schulstad, Rainville.

Passed October 10, 1997. J. Cherryhomes,
President of Council.

Approved October 16, 1997. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS – Your Committee recommends granting the following applications for liquor, wine and beer licenses:

Off-Sale Liquor, to expire October 1, 1998

Lowry Liquor Store, Inc, dba Lowry Liquor,
2426 NE 2nd St;

Meka Corporation, dba Minnehaha Liquor
Store, 2613 E Lake St;

East Lake Liquor & Deli, Inc, dba East Lake
Liquor & Deli, 3916 E Lake St;

On-Sale Liquor Class A with Sunday Sales,
to expire October 1, 1998

International Catering, Inc, dba Atrium Cafe, 275
Market St, temporary expansion of premises, Guthrie
Theater Dinner, 9/19/97, 5:30-7:30PM;

International Catering, Inc, dba Atrium Cafe, 275
Market St, temporary expansion of premises, Stai-
Schefelbein Wedding Reception, 10/25/97, 4PM-
Midnight;

International Catering, Inc, dba Atrium Cafe, 275
Market St, temporary expansion of premises,
Dahlquist-Mortrud Wedding, 9/20/97,
6PM-Midnight; Waller-Organ Wedding, 9/20/97,
5PM-Midnight; Colston-Arenriep Wedding,
9/20/97, 3:30PM-Midnight;

International Catering, Inc, dba Atrium Cafe, 275
Market St, temporary expansion of premises,
Vanguard Unlimited, 9/25/97, 6-8PM;

International Catering, Inc, dba Atrium Cafe, 275
Market St, temporary expansion of premises,
Edmondson-Durdle Wedding Reception, 10/4/97,
5PM-1AM;

Ogden Food Service Corporation, dba Target
Center, 600 1st Av N, new corporate officers;

Promus Hotels Minneapolis, Inc, dba Embassy
Suites Hotel, 425 S 7th St;

Ogden Food Service Corporation, dba Target
Center, 600 1st Av N;

80 S 8th St, Hotel Operations, Inc, dba
Windows on Minnesota, 701 Nicollet Mall, 50th
floor;

Seven Corners Hotel Partners, Ltd, dba Holiday
Inn Metrodome, 1500 Washington Av S;

Old Chicago of Colorado, Inc, 2841 Hennepin
Av;

On-Sale Liquor Class A, to expire October 1,
1998

Wild Entertainment, Ltd, dba Ground Zero, 15
NE 4th St;

On-Sale Liquor Class C-1, with Sunday
Sales, to expire October 1, 1998

Zurbey's Bar, Inc, dba Zurbey's Bar, 2200 NE
4th St;

On-Sale Liquor Class C-2, with Sunday
Sales, to expire October 1, 1998

Historic Theatre Group, Ltd, dba Historic State
Theatre, 805 Hennepin Av;

Two-Mac, Inc, dba MacKenzie, 918 Hennepin
Av;

On-Sale Liquor Class E with Sunday Sales,
to expire October 1, 1998

Brandon's 923, Inc, dba 923 Club, 923
Washington Av N;

Vegas, Inc, dba Vegas Lounge, 965 Central Av NE, 1st floor;
Dusty's, Inc, dba Dusty's Bar, 1319 Marshall St;

Sumick, Inc, dba Lyle's, 2021 Hennepin Av;
Brutus Enterprises, Inc, dba Popeyes Saloon, 3601 E Lake St;

On-Sale Liquor Class E, to expire October 1, 1998

Di Napoli Lounge, Inc, dba Di Napoli Lounge, 814-818 Hennepin Av;

Temporary On-Sale Liquor, to expire March 31, 1998

Learning Center, 905 4th Av S, Theatre De La June Lune, 105 1st St N, 10/13/97, 6:30-9:30 PM, Licensed Facilitator: Mintahoe, Inc;

Philanthrofund Foundation, 1619 Dayton Av, #327, St. Paul, Guthrie Theatre Laboratory, 700 N 1st St, 10/11/97;

Minnesota Liquor Retailers, Inc, dba Minnesota Licensed Beverage Association, 2353 Rice St #139, St. Paul, Minneapolis Convention Center, 10/26/97, Noon-6PM & 10/27/97, Noon-5PM;

Off-Sale Beer, to expire April 1, 1998

North Side Food Market, Inc, dba North Side Food Market, 1808 W Broadway, change in corporate name;

Rami A. Wadi & Sean M. Ahmad, dba Best Food Market, 3756 Nicollet Av, new proprietor; and

On-Sale Beer Class E, to expire April 1, 1998

Richard A. Waulters, dba Richies, 2211 Lowry Av N, new business.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee recommends granting the following applications for business licenses as per list on file and of record in the Office of the City Clerk under Council date of October 10, 1997, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petr No 263151):

Place of Amusement Class A; Place of Amusement Class B-1; Place of Amusement Class C; Building Contractor Class A; Building Contractor Class B; Car Wash; Cement Finisher; Contractor/Masonry Class B; Check Cashing

Facilities; Dry-Cleaning Pickup Station; Dry Wall Contractor; Fire Extinguisher Class A; All Night Special Food; Confectionery; Farm Produce (Profit or Non-Profit); Grocery; Food Manufacturer; Restaurant; Short Term Food Permit; Seasonal Short Term Food Establishment; Sidewalk Cafe Permit; Vending Machines; Fuel Dealer; Gasoline Filling Station; Heating, Air Conditioning, Vent Installer Class A; Lodging with Boarding House; Motor Vehicle Dealer Used Only; Motor Vehicle Immobilization Service; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Access Use; Commercial Parking Lot Class A; Commercial Parking Lot Class B-Con; Pet Shop; Plumber; Second Hand Goods Dealer; Second Hand Goods Dealer – Exhibition; Skating Rink – Roller & Ice; Solicitor – Individual; Solid Waste Hauler; Suntanning Facilities; Taxicab Limited; Taxicab Service Company; Taxicab – Vehicle; Theater – Zone 1; Tobacco Dealers; Tree Servicing; and Tattooing.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee recommends granting the following applications for gambling licenses, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

Gambling-Lawful Class B

Air Force Association, 3620 Central Av NE, site: Jimmy's Restaurant & Lounge, 3675 Minnehaha Av;

Gambling Lawful Exempt

St. Olaf Catholic Church, 215 S 8th St, raffle, 10/19/97;

Windom Open School PTA, 5821 Wentworth Av, raffle, 11/7/97; and

Emerson SILC Program Council, Inc, 1421 Spruce Pl, raffle, 10/24/97.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee, having under consideration the Off-Sale Liquor License held by Zipp's Liquors, Inc, dba Zipp's Liquors, 2618-

2620 E Franklin Av, and having received Findings of Fact, Conclusions and Recommendations arising from a Technical Advisory Committee (TAC) hearing thereon, now recommends adoption of the TAC recommendations, as more fully set forth in said Findings which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles

Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS - Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for health education consulting services relating to youth violence prevention and school health restructuring, for the period from January 1, 1998 through December 31, 1998, with the understanding that said RFP was reviewed by the Permanent Review Committee and found to conform to current City policies.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Rainville.

Passed October 10, 1997.

Approved October 10, 1997. J. Cherryhomes,
Acting Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published October 15, 1997)

PS&RS – Your Committee recommends that the proper City officers be authorized to execute an agreement with the Minneapolis Public Schools to provide school health services at the Welcome Center, for the period from January 1, 1997 through December 31, 1997, in the amount of \$246,701, payable from Health Department Agency – Contracts Management, with \$205,901 to be payable from the General Fund (010-440-4413) and \$40,800 to be payable from the Federal Grants Fund (030-440-4413).

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles

Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee recommends that the proper City officers be authorized to execute an agreement with David M. Griffith & Associates

for research services, to conduct a study and to estimate the economic cost to the City of underage alcohol use, for the period from September 8, 1997 through December 31, 1997, in the amount of \$24,975, payable from General Fund – Health Department Agency – Assessment Policy and Assurance (010-440-4412).

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles

Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee recommends that the proper City officers be authorized to execute a contract to provide covert leased office space with specialized facilities for undercover investigations, for the period from October 1, 1997 through September 30, 1999, in accordance with City policy, at a cost of \$1,166.67 per month, for a contract total of \$28,000, payable from Other Grants Fund – Police Department Agency (060-400-P402).

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles

Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee recommends concurrence with the recommendation of the City Council to appoint/reappoint the following persons to serve on the Rental Dwelling License Board of Appeals for 2-year terms to expire August 31, 1999:

Mansoor Alyeshmerni, 3718 W Calhoun Parkway, Ward 13, Real Estate Manager (new appointment);

Tene Jones, 110 NE 1st Av, Ward 5, Housing/Tenant Advocate;

Judy Schwartau, 2449-51 Colfax Av S, Ward 10, Housing/Tenant Advocate;

Brian Bushay, 1715 Emerson Av N, Ward 5, Residential Building Businessman;

Wayne Jensen, 2717 13th Av S, Ward 6, General Public; and

Connie Fournier, as Director of Inspections' designee, who will act as Secretary.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles
Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee, having under consideration the following properties creating nuisance conditions within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, and having determined that rehab of said properties is not feasible, now recommends that the proper City officers be authorized to raze the following properties, as more fully set forth in the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference:

- a) 2018 Russell Av N, Lot 27, Block 2, Nichols-Frissell Company's Shady Oaks Addition; and
- b) 1110 36th St East, Lot 12, Block 1, Mabel and White's Addition.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee, having under consideration the Council action of September 26, 1997 relating to applications for gambling licenses, now recommends that the portion relating to the application of the Church of the Holy Name, 3637 11th Av S, be rescinded, and that Petn No 263112 be amended to delete Licenses and Consumer Services Addendum Item #31 relating to said application.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles
Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS – Your Committee recommends granting the application of the Church of the Holy Cross, 1621 University Av NE, for a Gambling Lawful Exempt License for bingo, raffle and pulltabs on November 23, 1997.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES and WAYS & MEANS/BUDGET** Committees submitted the following reports:

PS&RS & W&M/Budget – Your Committee recommends acceptance of the grant from the Minnesota Department of Public Safety, Bureau of Criminal Apprehension, to provide funds to cover additional expenditures relating to multi-jurisdictional murder investigation(s), in the amount of \$16,000.

Your Committee further recommends passage of the accompanying Resolution increasing the Police Department Appropriation by \$16,000.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles
Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 97R-315

By Biernat and Campbell

Amending The 1997 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants-Other Fund (060-400-C111) by \$16,000 and increasing the revenue estimate for the Police Department Agency in the Grants-Other Fund (060-400-C111-Source 3215) by \$16,000.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997. J. Cherryhomes,
President of Council.

Approved October 16, 1997. S. Sayles
Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS & W&M/Budget – Your Committee recommends approval to solicit up to \$50,000 in donated funds and/or equipment for the Police Department's Auto Theft Reduction Program to assist in the start-up of the program and to aid in

investigative techniques through the use of “bait vehicles” and decoy undercover equipment.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

PS&RS & W&M/Budget – Your Committee recommends approval for the Police Department to accept from Lifetime Fitness, Inc, a donation of exercise and workout equipment to be used by police officers at the Downtown Command, 29 S 5th St, valued at approximately \$13,195.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

T&PW – Your Committee recommends passage of the accompanying Resolution adopting the assessments, levying the assessments and adopting the assessment rolls for water and sewer service line repairs or replacements on the lists of properties set forth in Petn No 263155.

Your Committee further recommends summary publication of the above-described Resolution.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Resolution 97R-316, adopting the assessments, levying the assessments and adopting the assessment rolls for water and sewer service line repairs or replacements on the lists of properties set forth in Petn No 263155, was passed October 10, 1997 by the City Council and approved October 16, 1997 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-316

By Dziedzic

Adopting the assessments, levying the assessments and adopting the assessment rolls for water and sewer service line repairs or replacements on the lists of properties set forth in Petn No 263155.

Whereas, a public hearing was held on October 2, 1997 in accordance with Section 509.465 of the Minneapolis Code of Ordinances to consider the proposed assessments as shown on the proposed assessment rolls on file in the Office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the proposed assessment for a water service line repair or replacement for the property located at 1601 11th Av S (PID 26-029-24-31-0016) in the amount of \$1,045 be waived.

Be It Further Resolved that the proposed assessments against the affected properties on the list dated September 17, 1997 set forth in Petn No 263155 in the total amount of \$258,525.30 for water service lines as shown on the proposed assessment roll on file in the Office of the City Clerk be and hereby is revised to \$257,480.30 and are adopted and levied as revised herein.

Be It Further Resolved that the proposed assessments against the affected properties on the list dated September 17, 1997 set forth in Petn No 263155 in the total amount of \$15,202.33 for sewer service lines and as shown on the proposed assessment roll on file in the Office of the City Clerk be and hereby is adopted and levied.

Be It Further Resolved that the assessments be collected in five (5) successive equal annual principal installments beginning on the 1998 real estate tax statements with interest charged at the rate of 8%.

Be It Further Resolved that the assessment rolls as prepared by the City Engineer be and hereby are adopted, as revised herein, and that the City Clerk is hereby directed to transmit certified copies of said assessment rolls to the Hennepin County Auditor.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Rainville.

Passed October 10, 1997. J. Cherryhomes, President of Council.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

T&PW – Your Committee recommends passage of the accompanying Resolution adopting the assessments, levying the assessments and adopting the assessment roll for the unpaid charges for the removals of snow and ice from public sidewalks on the list of properties set forth in Petn No 263155.

Your Committee further recommends summary publication of the above-described Resolution.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Resolution 97R-317, adopting the assessments, levying the assessments and adopting the assessment roll for the unpaid charges for the removals of snow and ice from public sidewalks on the list of properties set forth in Petn No 263155, was passed October 10, 1997 by the City Council and approved October 16, 1997 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-317

By Dziedzic

Adopting the assessments, levying the assessments and adopting the assessment roll for the unpaid charges for the removals of snow and ice from public sidewalks on the list of properties set forth in Petn No 263155.

Whereas, a public hearing was held on October 2, 1997 in accordance with Chapter 445 of the Minneapolis Code of Ordinances to consider the proposed assessments as shown on the proposed assessment roll on file in the Office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following proposed assessments be reduced:

- a. 1018-22 21st St E (PID #35-029-24-21-0229) from \$181.23 to \$100;
- b. 1058-60 25th Av SE (PID #19-029-23-12-0041) from \$94.31 to \$50;
- c. 1625 44th Av N (PID #04-029-24-21-0119) from \$243.20 to \$125;
- d. 3601 Bryant Av N (PID #04-029-24-44-0144) from \$180.06 to \$100;
- e. 2319 Fillmore St NE (PID #12-029-24-31-0091) from \$100 to \$50;
- f. 2109 Lowry Av N (PID #09-029-24-32-0083) from \$80 to \$40;
- g. 2919 Oliver Av N (PID #09-029-24-32-0043) from \$90 to \$45;
- h. 809 Penn Av N (PID #20-029-24-14-0010) from \$119.66 to \$60;
- i. 4254 Portland Av S (PID #10-028-24-41-0017) from \$183 to \$100;
- j. 4452 York Av S (PID #08-028-24-34-0042) from \$126.51 to \$63.

Be It Further Resolved that the following proposed assessments be waived:

k. 2729 Central Av NE (PID #12-029-24-22-0186) \$122.77; and that the bill be sent to the previous owner;

- l. 3311 Polk St NE (PID #01-029-24-23-0154) \$30.

Be It Further Resolved that the proposed assessments against the affected properties on the list dated September 17, 1997 set forth in Petn No 263155 in the total amount of \$30,554.30 and as shown on the proposed assessment roll on file in the Office of the City Clerk be and hereby is revised to \$29,737.22 and are adopted and levied as revised herein.

Be It Further Resolved that the revised assessments in the amount of \$29,737.22 be collected in one (1) installment on the 1998 real estate tax statements with interest charged at the rate of 5%.

Be It Further Resolved that the assessment roll as prepared by the City Engineer be and hereby is revised to \$29,737.22 and adopted as revised herein and that the City Clerk is hereby directed to transmit a certified copy of said revised assessment roll to the Hennepin County Auditor.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Rainville.

Passed October 10, 1997. J. Cherryhomes, President of Council.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

T&PW – Your Committee recommends passage of the accompanying Resolution adopting and levying the assessments for the repair and construction of public sidewalks on certain properties.

RESOLUTION 97R-318

By Dziedzic

Adopting and levying the assessments for the repair and construction of public sidewalks on certain properties.

Whereas, a public hearing was held on September 18, 1997 in accordance with Chapter 8, Sections 12 and 13 of the Minneapolis City Charter to consider the proposed assessments on the hereinafter described properties as on file in the Office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the proposed assessments against the hereinafter described properties set forth in Petn No 263119 on file in the Office of the City Clerk be and hereby are adopted and levied as follows:

- a. 3801-07 Bloomington Av S (PID #11-028-24-11-0077) \$295.09;
- b. 3011 Fremont Av N (PID #09-029-24-42-0049) \$165.64;
- c. 4600 Longfellow Av S (PID #13-028-24-22-0001) \$121.44;
- d. 2928 17th Av S (PID #35-029-24-44-0066) \$237.60;
- e. 1019 22nd Av N (PID #16-029-24-13-0052) \$432.83.

Be It Further Resolved that the assessments, in the total amount of \$1,252.60 be collected in five (5) successive equal annual principal installments beginning on the 1998 real estate tax statements with interest charged at the rate of 5% and that the assessments of \$1,252.60 be added to the assessment roll adopted in Resolution 97R-296 passed September 26, 1997.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997. J. Cherryhomes, President of Council.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

T&PW - Your Committee, to whom was referred an Ordinance amending Title 17 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks, adding Chapter 450 to add a Stadium Village Special Service District, now recommends that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends summary publication of the above-described Ordinance.

Adopted. Yeas, 11 Nays none.

Absent - Schulstad, Rainville.

Passed October 10, 1997.

Approved October 10, 1997. J. Cherryhomes, Acting Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Published October 15, 1997).

Ordinance 97-Or-083 amending Title 17 of the Minneapolis Code of Ordinances relating to **Streets and Sidewalks**, adding Section 450 to establish a Stadium Village Special Service District consisting of

the following area, except that portion consisting of those zoning districts in which business, commercial and industrial uses are not permitted under the Minneapolis Zoning Code: That part of Minneapolis generally bounded by 4th St SE, vacated 4th St SE, 4th St SE, 27th Av SE, Delaware St SE, Huron Blvd SE, Essex St SE, Erie St SE, Delaware St SE, vacated Delaware St SE, Delaware St SE, Harvard St SE, vacated Harvard St SE, vacated Beacon St SE and vacated Walnut St SE and its Nly extension, was passed October 10, 1997 by the City Council and approved October 16, 1997 by the Acting Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

(Published October 15, 1997)

The following is the complete text of the unpublished summarized resolution.

ORDINANCE 97-Or-083

By Campbell

Intro: 9/12/97

Ref to: T&PW

1st Reading: 10/2/97

2nd Reading: 10/10/97

Amending Title 17 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks by adding a new Chapter 450 relating to Stadium Village Special Service District.

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 450 to read as follows:

**CHAPTER 450. STADIUM VILLAGE
SPECIAL SERVICE DISTRICT**

450.10. Establishment. Pursuant to the authority granted by the legislature in Laws of Minnesota, 1985, Chapter 302 as amended in Laws of Minnesota, 1993, Chapter 375 and in Laws of Minnesota, 1995, Chapter 264, and as provided for in Laws of Minnesota for 1996, Chapter 471, Article 8, Section 44, there is hereby established a special service district (otherwise referred to herein as the "district") wherein the city may provide, or contract for public services to be provided, of a kind or to a degree not required or performed elsewhere in the city. Said special service district shall consist of the following area, except that portion consisting of those zoning districts in which business, commercial and industrial uses are not permitted under the Minneapolis Zoning Code:

That part of Minneapolis bounded by northerly line and its westerly and easterly extensions of Lot two (2) in Block one (1) of St. Anthony City, a line and its northwesterly and southeasterly extensions equidistant between the southwesterly line of 4th Street Southeast and the northeasterly line of University Avenue Southeast as shown in "Regents Addition", centerline and its northeasterly extension of 23rd Avenue Southeast as opened across Lots four (4) and seven (7) in Block sixteen (16) of "Regents Addition", centerline and its northwesterly and southeasterly extensions of 4th Street Southeast, centerline and its northeasterly and southwesterly extensions of 27th Avenue Southeast, a line and its southeasterly and northwesterly extensions equidistant between the southwesterly line of University Avenue Southeast and the northeasterly line of 2nd Street Southeast (now known as Delaware Street Southeast) as shown in "Regents Addition", centerline and its southwesterly extension of 25th Avenue Southeast, centerline and its easterly and westerly extensions of Delaware Street Southeast, centerline of Huron Boulevard Southeast, southerly line and its easterly extension at Huron Boulevard Southeast and its westerly extension at Erie Street Southeast of Tract B in Registered Land Survey No. 1646 Hennepin County, Minnesota, centerline and its northerly extension of Erie Street Southeast, centerline and its easterly and westerly extensions of Delaware Street Southeast, centerline and its southerly extension of Ontario Street Southeast, southerly lines and their easterly and westerly extensions of Lots five (5) and six (6) in Block seven (7) of Baker's Addition to Saint Anthony, centerline of Oak Street Southeast, a line and its easterly and westerly extensions equidistant between the southerly line of Washington Avenue Southeast and the northerly line of Delaware Street Southeast, centerline of Walnut Street Southeast, southerly lines and their easterly and westerly extensions of Lots four (4) and seven (7) in Block thirty-one (31) of St. Anthony City, centerline and its northerly extension of Harvard Street Southeast, centerline and its southerly extension of vacated Harvard Street Southeast, centerline and its westerly and easterly extensions of vacated Beacon Street Southeast and a line and its southerly and northerly extensions equidistant between the easterly line of Walnut Street Southeast and the westerly line of Oak Street Southeast as shown in St. Anthony City.

450.20. Services to be performed. Within the special service district, the city may perform or

contract for the performance of any of the following services to the extent that such services are not ordinarily provided throughout the city from ordinary revenues of the city:

- (a) Snow and ice removal and sanding of public areas.
- (b) Cleaning and scrubbing of sidewalks; cleaning of curbs, gutters, alleys, and streets.
- (c) Provision, installation, maintenance, removal, and replacement of banners and other decorative items for promotion of the commercial area of the district.
- (d) Poster and handbill removal.
- (e) Repair and maintenance of sidewalks.
- (f) Installation and maintenance of area-wide security systems.
- (g) Provision and coordination of security personnel to supplement regular city personnel.
- (h) Maintenance, repair, and cleaning of commercial area directories, kiosks, benches, bus shelters, newspaper stands, trash receptacles, information booths, bicycle racks and bicycle storage containers, sculptures, murals, and other area art pieces.
- (i) Installation, maintenance, and removal of lighting on commercial area trees.
- (j) Cost of electrical service for pedestrian and tree lighting.
- (k) Repair of low-level pedestrian lights and poles.
- (l) Provision of comprehensive liability insurance for public space improvements.
- (m) Trash removal and recycling costs.
- (n) Provision, maintenance, and replacement of special signage relating to vehicle and bicycle parking, vehicle and pedestrian movement, and special events.
- (o) Watering, fertilizing, maintenance and replacement of trees and bushes on public right-of-way.

450.30. Service charge. The city council hereby finds and determines that the annual costs of providing the services specified in section 450.20 hereof will provide benefits primarily to properties located within the district, rather than the city as a whole, and that the costs of said services may be recovered by the city by the imposition of service charges to be assessed against properties located within the district pursuant to Laws of Minnesota, 1969, Chapter 499.

450.40. Imposition of service charge; levy. The service charges shall be levied annually prior to November thirtieth, upon properties within the district, in an aggregate sum, which, combined

with any property tax levied under section 450.60 hereof, will equal the estimated total costs of the city in providing the services referred to in section 450.20 for the next ensuing calendar year; provided, however, that service charges may be levied in the year 1997 for services rendered or to be rendered during the calendar years 1997 and 1998. Prior to imposing the service charges, a public hearing shall be held with respect thereto at which all interested persons may appear and be heard. Notice of the public hearing shall be given in two (2) separate publications of the city's official newspaper one week apart and the public hearing shall not be held less than three (3) days after the later publication. Not less than ten (10) days prior to the hearing, notice shall be mailed to the owner of each parcel of real estate within the district. For the purpose of giving such mailed notice, owners shall be those shown on the records of the county auditor. For properties which are tax exempt or subject to taxation on a gross earnings basis in lieu of property tax and are not listed on the records of the county auditor, the owners shall be ascertained by any practical means, and mailed notice given them.

The notice of public hearing shall include:

(a) A statement that all interested persons will be given an opportunity to be heard at the hearing regarding the proposed service charge.

(b) The proposed rate or amount of the proposed service charge to be imposed in the district during the calendar year and the nature and character of special services to be rendered in the district during the calendar year.

(c) A statement that an owner may appeal an assessment of the service charge to district court including the procedure for appeal.

The service charge may be levied at any time not later than six (6) months after the public hearing by a vote of a majority of all of the members of the city council.

450.50. Assessment of service charges.

Except as otherwise provided herein, the service charges imposed under sections 450.30 and 450.40 shall be assessed against parcels of real estate within the district in the manner and subject to the procedures provided in Minnesota Statutes, Sections 429.061, 429.071 and 429.081; provided that each assessment shall be payable in a single tax year. Within thirty (30) days after the adoption of the assessment, any person aggrieved may appeal to the district court by serving a notice of appeal upon the mayor or city clerk; provided that no appeal may be taken unless the person appealing

shall have filed a signed, written, objection with the city clerk prior to the assessment hearing or shall have presented it to the presiding officer at the hearing, unless a reasonable cause shall exist for such person's failure to do so.

450.60. Ad valorem property tax. The city may, in each calendar year, levy a tax on taxable property in the district based upon the assessed value of the property and such tax shall be assessed and collected in the same manner as other property taxes on property located within the district. The tax shall be levied at a rate that will raise an aggregate sum, which, when combined with any service charges levied in the district, will equal the total costs of the city in providing the services specified in this ordinance for the next ensuing calendar year; provided, however, that taxes may be levied in the year 1997 for services rendered and to be rendered in the calendar years 1997 and 1998. Prior to the levy of such a tax, a public hearing shall be held. The requirements for the public hearing and the notice of public hearing shall be the same as specified in section 450.40 with respect to the levy of special service charges, and the tax may be levied not later than six (6) months after the public hearing by a majority vote of all of the members of the city council.

For purposes of determining the appropriate tax rate, taxable property or value shall be determined without regard to captured or original assessed value under Minnesota Statutes, Section 273.76, or to the distribution or contribution value under Minnesota Statutes, Section 473F.08.

Property exempt from taxation by Minnesota Statutes, Section 272.02, shall be exempt from such tax. Taxes levied under this section shall not be reduced pursuant to Minnesota Statutes, Section 273.13, subdivisions 7, 7d or 14a.

450.70. Revenue surplus or deficit. In the event that the cost of services rendered in the district in any calendar year exceeds the total taxes and service charges levied and collected with respect to such calendar year, an amount necessary to recoup the excess costs shall be levied as taxes, service charges, or both in the next ensuing year; to the extent that the total taxes and service charges exceed the cost of services, the next ensuing year's levy of taxes and service charges shall be decreased by a corresponding amount.

450.80. Limitation. Taxes and service charges may be levied pursuant to this chapter to finance special services ordinarily provided by the city only if the services are provided in the district at an increased level and, then, only in an amount sufficient to pay for the increase.

450.90. Advisory board. (a) An advisory board to be known as the Stadium Village Special Service District Advisory Board consisting of nine (9) members, who are residents of the district or owners of property within the district, shall be appointed by the city council for terms of two (2) years beginning on January first of each even numbered year, the first term to commence January 1, 1998. All board members shall be appointed in conformance with the city's open appointments ordinance. Any vacancy in an unexpired term shall be filled in the same manner as the original appointment was made and shall be for the unexpired term. Board members shall serve until their successors are appointed.

(b) The advisory board shall advise the city council in connection with the construction, maintenance, and operation of improvements and the furnishing of special services in the district. It shall make recommendations to the city council on requests and complaints of owners, occupants, and users of property within the district and members of the public.

(c) Before the adoption of any proposal by the city council to provide services or impose taxes or service charges within the district, the advisory board of the district must have an opportunity to review and comment upon the proposal.

(d) Upon or after the effective date of this ordinance, the city council may appoint a temporary advisory board consisting of nine (9) members who shall be required to have the qualifications specified in paragraph (a) of this section. Said temporary advisory board shall have all of the powers, duties and responsibilities of, and shall be known as, the Stadium Village Special Service District Advisory Board from its date of appointment through December 31, 1997. In appointing the temporary advisory board members, the city council shall not be bound by the provisions of Minneapolis Code of Ordinances, section 14.180.

450.100. Definitions and construction. The terms used herein shall be defined as provided in Laws of Minnesota, 1985, Chapter 302 as amended, and this ordinance shall be construed consistently therewith.

Adopted. Yeas, 11; Nays none.
Absent - Schulstad, Rainville.
Passed October 10, 1997. J. Cherryhomes, President of Council.
Approved October 16, 1997. S. Sayles Belton, Mayor.
Attest: S. Ristuben, Asst City Clerk.

T&PW -Your Committee recommends that the following persons be appointed to the temporary Stadium Village Special Service District Advisory Board with terms beginning upon appointment and ending on December 31, 1997 as provided for in Section 450.90, paragraph (d) of the Minneapolis Code of Ordinances:

| Applicant | Property Address | Business Name |
|---------------------|-------------------------|---------------------------|
| Jim Rosvold | 818 Washington Av SE | Campus Pizza |
| Brian Liston | 900 Washington Av SE | Dinnaken Properties Inc. |
| Brad Mateer | 828 Washington Av SE | Harvard Market East |
| Steve Scallen | 1501 University Av SE | Juno Investments |
| Keith/Arlen Mercill | 630 Washington Av SE | Mercill's Phillips 66 |
| Jeff Bierangel | 825 Washington Av SE | Stadium Village Mall |
| Sue Jeffers | 227 Oak St SE | Stub and Herbs Restaurant |
| Dick Bennett | 901 Washington Av SE | U Liquors |
| Ann O'Loughlin | 12 Morrill Hall | University of Minnesota |

Adopted. Yeas, 11; Nays none.
Absent - Schulstad, Rainville.
Passed October 10, 1997.
Approved October 10, 1997. J. Cherryhomes, Acting Mayor.
Attest: S. Ristuben, Asst City Clerk.
(Published October 15, 1997)

T&PW – Your Committee recommends passage of the accompanying Resolution holding harmless the State of Minnesota from actions that may arise from granting a variance to permit the reconstruction of E 50th St from W approach of I-35W bridge to Nicollet Av S with a design speed less than 50 KPH as required by the State-Aid Rules.

RESOLUTION 97R-319
By Dziedzic

Holding harmless the State of Minnesota from actions that may arise from the reconstruction of MSA 264 (E 50th St) from W approach of I-35W Bridge to Nicollet Av S at less than Municipal State-Aid (MSA) Standards.

Whereas, the City Engineer has requested a variance from Minnesota Rules, Chapter 8820.9936 for the reconstruction of E 50th St between W approach of I-35W Bridge to Nicollet Av S in accordance with Resolution 97R-132 passed by the Minneapolis City Council on May 23, 1997; and

Whereas, the Commissioner of Transportation did grant said variance with the condition that the City adopt a Resolution concerning legal responsibilities as a result of the granting of said variance at the City Councils request;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That it indemnifies, saves and holds harmless the State of Minnesota and all its agents and employees of and from any and all claims, demands, actions, or causes of actions of any nature or character arising out of or by reason of, in any manner the reconstruction of MSA 264 (E 50th St) between W approach of I-35W bridge to Nicollet Av S in any other manner than as in accordance with Minnesota Rule 8820.9936 and further agrees to defend at their sole cost and expense any action or

proceeding commenced for the purpose of asserting any claim of whatsoever character arising as a result of the granting of this variance.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997. J. Cherryhomes, President of Council.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

The TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS/BUDGET

Committees submitted the following reports:

T&PW & W&M/Budget – Your Committee recommends that the proper City Officers be authorized to amend Lease Agreement No 11260 with Sprint Spectrum LP to change the conditions of the lease to provide that the roof structure repairs to the Kenwood Water Tower be carried out by City forces, instead of a contractor hired by Sprint, prior to Sprint occupying the tower with a Personal Communication System (PCS) antenna system.

Your Committee further recommends passage of the accompanying Resolution appropriating \$110,000 to the PW – General Services Agency to provide funds for said repairs, to be reimbursed by Sprint Spectrum LP in a lump sum payment.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 97R-320

By Dzedzic and Campbell

Amending the 1997 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the PW – General Services Agency in the Lands and Buildings Fund (620-680-6821) by \$110,000 and increasing the revenue source (620-680-6821 – Source 3455) by \$110,000 for repairs to the Kenwood Water Tower, to be reimbursed by Sprint Spectrum LP in a lump sum payment.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997. J. Cherryhomes, President of Council.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

T&PW & W&M/Budget – Your Committee recommends acceptance of low bid meeting specifications received on OP #4700 (Petr No 263158) submitted by Armor Tanking Lining, Inc., in the amount of \$22,775, for furnishing and installing a PVC lining system for concrete storage tanks for the Public Works Water Department, all in accordance with City specifications.

Your Committee further recommends that the proper City Officers be authorized to execute a contract for said project.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

W&M/Budget – Your Committee, having received a proposed 14-month budget for the Alternative Dispute Resolution (ADR) program (contained in Petr No 263164), now recommends approval of said budget and authorization to expend \$151,404 for the program personnel costs (program director position), professional services such as training and mediation, office expenses and program start-up costs. The budget is payable from funds which have been contributed for an ADR program by City employees and the City.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee, having under consideration the Central Neighborhood Weed & Seed Program and the award of federal grant funds for that initiative, now recommends that the proper City officers be authorized to accept a grant of \$135,000 from the U. S. Department of Justice and execute the necessary grant agreements to receive said grant.

Your Committee further recommends passage of the accompanying resolution increasing the Non-Departmental Agency by \$135,000 to reflect the receipt of the grant funds.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 97R-321

By Campbell

Amending the 1997 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Non-Departmental Agency in the Grants-Federal Fund (030-123-1230) by \$135,000.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997. J. Cherryhomes, President of Council.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee, having under consideration the Central Neighborhood Weed & Seed Program and the award of state grant funds for the period of 1997 through 1999 for that initiative, now recommends that the proper City officers be authorized to accept a grant of \$140,000 from the Minnesota Department of Public Safety and sign and execute the necessary grant agreements to receive said grant.

Your Committee further recommends passage of the accompanying resolution increasing the Non-Departmental Agency by \$140,000 to reflect the receipt of the grant funds.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 97R-322

By Campbell

Amending The 1997 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Non-Departmental Agency in the Grants-Other Fund (060-123-1230) by \$140,000.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997. J. Cherryhomes, President of Council.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee, having under consideration the Phillips Neighborhood Weed & Seed Program and the award of state grant funds for the period of 1997 through 1999 for that initiative, now recommends that the proper City officers be authorized to accept a grant of \$230,000 from the Minnesota Department of Public Safety and sign and execute the necessary grant agreements to receive said grant.

Your Committee further recommends passage of the accompanying resolution increasing the Non-Departmental Agency by \$230,000 to reflect the receipt of the grant funds.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 97R-323

By Campbell

Amending The 1997 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Non-Departmental Agency in the Grants-Other Fund (060-123-1230) by \$230,000.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997. J. Cherryhomes,
President of Council.

Approved October 16, 1997. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee, having under consideration the Northside Neighborhood Weed & Seed Program and the award of state grant funds for the period of 1997 through 1999 for that initiative, now recommends that the proper City officers be authorized to accept a grant of \$230,000 from the Minnesota Department of Public Safety and sign and execute the necessary grant agreements to receive said grant.

Your Committee further recommends passage of the accompanying resolution increasing the Non-Departmental Agency by \$230,000 to reflect the receipt of the grant funds.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 97R-324

By Campbell

Amending The 1997 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Non-Departmental Agency in the Grants-Other Fund (060-123-1230) by \$230,000.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997. J. Cherryhomes,
President of Council.

Approved October 16, 1997. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee recommends that the report passed by the Council on August 8, 1997 authorizing the hiring of three Weed & Seed Program Coordinators under professional service contracts and designating the Grants & Special Projects Division of the City Coordinator's Office as contract administrator be rescinded.

Your Committee further recommends that three new classified Administrative Assistant I positions be added to the Grants & Special Projects Division of the City Coordinator's Office to serve as Weed & Seed Program coordinators for the City's three designated Weed & Seed areas (Central, Phillips and Northside). The cost of the new positions is payable from federal and state Weed & Seed grant funds.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee recommends approval of the City Council Meeting Calendar for 1998 (Petn No 263162).

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee, having received a request from the Minneapolis Community Development Agency on behalf of Heritage Renovations LLC for consideration of net debt bonding for the streetscape elements of the River Station project, now recommends that said request be forwarded to the Finance Department to be considered during the 1998 capital budget process.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee recommends that the lawsuits filed against the City by the following individuals be settled as follows:

690-150 Vicki Anderson and Helen M. Meyer, her attorney, \$10,000; Gerald Overbo and Craig A. Goudy, his attorney, \$11,000; Francine Overbo and Craig A. Goudy, her attorney, \$1,000

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee, having under consideration a report of the City Attorney outlining a proposed settlement in the matter of Hagan et al vs. City, a lawsuit brought by twenty-six members of the Minneapolis Fire Department alleging violations of the Fair Labor Standards Act (FLSA), now recommends approval of the settlement (as outlined in Petn No 263161). The settlement includes the following:

- a) That District Fire Chiefs shall be classified as “non-exempt” for FLSA purposes;
- b) Authorized backpay totaling \$39,636.91;
- c) Liquidated damages of \$13,212.30; and
- d) Attorney fees of \$28,000.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee, having under consideration the Police Department’s proposal to implement a prototype shared information system with area law enforcement agencies and the award of federal grant funds for that initiative, now recommends that the proper City officers be authorized to accept a grant of \$247,776 from the U. S. Department of Commerce – Telecommunications and Information Infrastructure Assistance Program and execute the necessary grant agreements to receive said grant.

Your Committee further recommends passage of the accompanying resolution increasing the Police Department Agency by \$247,776 to reflect the receipt of the grant funds.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

RESOLUTION 97R-325

By Campbell

Amending The 1997 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants – Federal Fund (030-400-3210-B003) by \$247,776.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997. J. Cherryhomes, President of Council.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee recommends acceptance of the low bid received on OP #4695 (Petn No 263168) submitted by John A. Dalsin & Son, Inc., in the amount of \$28,047.86 for furnishing and delivering all labor, materials, equipment and supervision for removal and replacement of roof expansion joint covers at the Minneapolis Convention Center, all in accordance with City specifications.

Your Committee further recommends that the proper City officers be authorized to execute a contract for said services.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to receive up to \$52,100 from the Neighborhood Employment Network (NET) to provide for the services of the Minneapolis Employment & Training Program in administering a Welfare-To-Work home health care employment program.

Your Committee further recommends that the proper City officers be authorized to issue the following Fund Availability Notices (FAN) to agencies that will assist with the employment program:

| Funds | Agency | Master Contr # | Period | Amount | FAN# |
|--------------|-------------------------------------|---------------------------|-------------------|---------------|-------------|
| 060-860-8600 | Mpls Urban League | 10001 | 10/1/97 – 3/31/99 | \$25,000 | 45-1 |
| 060-860-8600 | Pillsbury United | 10007 | 10/1/97 – 3/31/99 | \$25,000 | 45 |
| | Neighborhood Servs - Unity House | | | | |

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to issue the following Fund Availability Notice (FAN) to Club Fed, Inc., providing that organization with Neighborhood Revitalization Program (NRP) funds from the Sumner-Glenwood neighborhood to be used for services to families and children in that community:

| Funds | Agency | Master Contr # | Period | Amount | FAN# |
|--------------|----------------|---------------------------|-------------------|---------------|-------------|
| 060-860-8605 | Club Fed, Inc. | 10005 | 5/31/98 – 5/31/99 | \$100,000 | 08-1B |

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

(Republished November 1, 1997).

W&M/Budget – Your Committee recommends that the proper City officers be authorized to increase compensation to Artcraft Press, Inc. for services related to printing of the Minneapolis Plan. Compensation shall be increased by \$7,700, to a new total of \$32,700, payable from the Planning Department's existing budget.

Your Committee further recommends that the Planning Department be granted a waiver from the City's procurement policy for said printing services, based on the time constraints of the project due to scheduled workshops and public hearings.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

W&M/Budget – Your Committee, having under consideration a report of the City Attorney outlining a proposed settlement of the lawsuit entitled Alisa R. Clemons vs. City in the amount of \$400,000, now recommends that the matter be forwarded without recommendation.

Campbell moved that when this Council adjourns, it immediately adjourns to a closed session in Room 315 to consider this report. Seconded.

Adopted upon a voice vote.

The **WAYS & MEANS/BUDGET and ZONING & PLANNING** Committees submitted the following report:

W&M/Budget & Z&P – Your Committee, having under consideration the court judgment in the matter of Henry Davis and Mary Davis vs. City of Minneapolis regarding the denial of a certificate of nonconforming use to continue use of the property at 2601 Emerson Av S, 1115 and 1117 W 26th St as a three unit apartment building, now recommends approval of the issuance of a certificate of nonconforming use and payment of attorney fees in the amount of \$1,000 (payable from the Self-Insurance Fund) as required by order of the court. (Petr No 263169)

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

The **ZONING & PLANNING** Committee submitted the following reports:

Z&P – Your Committee, having under consideration the appeal filed by Cecile Bedor, for Central Community Housing Trust (V-4212), from the decision of the Board of Adjustment denying their application for variation of off-street parking from five spaces to four spaces for a five-unit apartment building at 2217 Portland Av S, now recommends that said appeal be granted.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Z&P – Your Committee, having under consideration the appeal filed by Cecile Bedor, for Central Community Housing Trust (A-316), from the decision of the Board of Adjustment denying the application to appeal the decision of the Zoning Administrator that the variance request (V-4213) to reduce the number of off-street parking spaces at 2828 Portland Av S from 18 to 8 for an 18-unit

apartment building, as the request exceeds the 20% maximum variance that the Board of Adjustment is allowed to grant, now recommends that said appeal be granted.

Scott moved that the report be referred back to the Zoning & Planning Committee. Seconded.

Adopted upon a voice vote.

Z&P – Your Committee, having under consideration the appeal filed by Linda Lee (A-315), from the decision of the Board of Adjustment denying her application to appeal of the decision of the Zoning Administrator to not accept an application for variation of the south side yard from 5' to 3' and also an application for an increase in maximum accessory building height (10' X 12' "club house") from 12' to midpoint of roof to 14' to midpoint of roof due to garage exceeding 60% of the house height at 3622 Harriet Av S, now recommends that the appeal be granted, subject to the condition that the construction of the accessory building be completed by November 5, 1997, in accordance with the Findings of Fact on file in the office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Z&P – Your Committee, having under consideration the appeal filed by Christian Gerardin (V-4192) from the decision of the Board of Adjustment which denied his application for increase of fence height between the principal building and the front lot line from 3' to 3'-9" to permit a 3'-9" high picket fence to enclose the front yard at 4029 – 44th Av S, now recommends that said appeal be denied.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Z&P – Your Committee recommends concurrence in the recommendations of the Planning Commission relating to rezoning applications of Don Rosacker for development of a 32 unit townhouse cluster development in the vicinity of 18th Av NE and McKinley St NE:

a) Granting the petition (P-1016A) to rezone property at 1800 McKinley St NE from R1A to the R2B District to permit a 6 unit townhouse project as part of a larger 32 unit cluster development, and that the accompanying amendment to the Zoning Ordinance be passed;

b) Granting the petition (P-1016B) to rezone property at 1850 Stinson Blvd from B3S-1 to the R2B District to permit a 26 unit cluster development, and that the accompanying amendment to the Zoning Ordinance be passed.

Scott moved that the report be referred back to the Zoning & Planning Committee. Seconded.

Adopted upon a voice vote.

Z&P – Your Committee, having under consideration the petitions of Don Rosacker (#1192 and #1991) to a) vacate part of a “T” alley in the block bounded by 18th & 19th Aves NE and McKinley & Benjamin Sts NE to allow construction of six townhomes as part of a 32 unit townhouse development; and b) to vacate part of McKinley St NE between 18th & 19th Aves NE for a cluster development with 32 townhouses and a commercial building adjacent to the vacated portion of McKinley St NE, now finds that said alley and street are no longer needed for public travel and recommends concurrence in the recommendation of the Planning Commission that said petitions be granted, subject to retention of easement rights by the City of Minneapolis, by passage of the accompanying resolutions.

Scott moved that the report be referred back to the Zoning & Planning Committee. Seconded.

Adopted upon a voice vote.

Z&P – Your Committee, having under consideration the proposal by Ray Harris, for Urban Consulting Group, Inc, for a major reuse project for the Sears site located at Lake St and Chicago Av S involving 655,000 gross square feet (gsf) of office use, 433,000 gsf of light industrial use, 118,000 gsf of educational use and 136,000 gsf of retail use, now recommends;

a) That the City of Minneapolis order development of a discretionary Environmental Assessment Worksheet;

b) That the City of Minneapolis agree to serve as the Responsible Government Unit, and inform the Minnesota Pollution Control Agency and the Environmental Quality Board accordingly.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Z&P – Your Committee recommends granting the application of Kevin Sullivan for a special permit, notwithstanding the Zoning Code, to rebuild a front porch using the exact same foundation dimensions and location as the previous porch at 4528 – 46th Av S prior to approval of variance applications by the Zoning Board of Adjustment (#1997-195).

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Z & P - Your Committee, having under consideration the appeal filed by the Prospect Park and East River Road Improvement Association, Inc, from the decision of the City Planning Commission approving the application of the Wedum Foundation, c/o Dunbar Development Corporation (C-1852), for conditional use permit to allow a Planned Residential Development including 199 dwelling units containing 506 bedrooms, 280 residential parking stalls and 24,000 gross square feet of retail commercial uses with 81 commercial stalls at 2515 University Av SE, subject to conditions: 1) that storage for 24 bicycles be maintained for the commercial uses and adequate bicycle storage for residential uses; 2) approval by the Planning and Public Works Departments of the necessary encroachment permits; 3) approval by the Planning and Public Works Departments of the Transportation Management Plan for the project; 4) approval by the Planning Department of the final construction drawings, the lighting plan and the landscape plan; 5) that upon completion and approval, the Planning Department will provide the Transportation Management Plan to the neighborhood organizations for review and comment, now recommends that said appeal be denied, in accordance with the Planning Department's Findings contained in Petn No 263174 and made a part of this report by reference.

Adopted. Yeas, 11; Nays none.

Absent - Schulstad, Rainville.

Passed October 10, 1997.

Approved October 10, 1997. J. Cherryhomes,
Acting Mayor.

Attest: S. Ristuben, Asst City Clerk.
(Published October 15, 1997)

Z&P – Your Committee recommends that the proper City Officers be authorized to execute the Memorandum of Agreement among the City of Minneapolis, the Minnesota State Historic Preservation Office, and the Advisory Council on Historic Preservation for the Sumner Field Public Housing Demolition Project, located in the vicinity of Olson Memorial Hwy and Emerson Av N.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.

MOTIONS

Scott moved to introduce the subject matter of an Ordinance amending Title 2, Chapter 34 of the Minneapolis Code of Ordinances relating to Administration: Heritage Preservation Commission, which was referred to the Zoning & Planning Committee.

Campbell moved that the Council resolved itself into a Committee of the Whole to meet on Friday, October 24, 1997, at 9:00 a.m. to consider the Minneapolis Employment and Training Program. Seconded.

Adopted upon a voice vote.

Biernat moved to discharge the Public Safety & Regulatory Services Committee from further consideration of the application of Silva Filomena, dba Pepperoni's, 3554 Penn Av N. Seconded.

Adopted upon a voice vote.

Biernat further moved that the application of Silva Filomena, dba Pepperoni's, 3554 Penn Av N, for an On-Sale Beer Class E License to expire April 1, 1998 and a change in ownership from Pepperoni's, Inc, be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances. Seconded.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.

UNFINISHED BUSINESS

Licensed Establishments & Trades: Passage of Ordinance amending Title 4 of the Mpls Code of Ordinances by adding Chapter 78 entitled **"Enacting Moratoria on Licensed Establishments and Trades"**, amending Titles 4, 10, 11, 13 & 14 to allow the City to enact moratoria, etc; Auth summary publication.

Biernat moved to continue postponement.

Seconded.

Adopted upon a voice vote.

CONSIDERATION OF MAYOR'S VETO

Mayor Sayles Belton returning with her veto the Claims Committee report passed by the Council October 2, 1997, relating to claims filed against the City, and stating her objections thereto.

The question before the Council being "Shall the report pass notwithstanding the objections of the Mayor?" there were –

Yeas, 8; Nays, 3 as follows:

Yeas – McDonald, Minn, Dziedzic.

Nays – Thurber, Campbell, Biernat, Niland,
Mead, Scott, Herron, Cherryhomes.

Absent – Schulstad, Rainville.

The vote on the question being less than the two-thirds majority required by the Charter to pass the report over the objections of the Mayor, said veto was sustained.

NEW BUSINESS

Herron offered an Ordinance amending Title 20, Chapter 522 of the Minneapolis Code of Ordinances relating to **Zoning Code: In General**, which was referred to the Zoning & Planning Committee (Expanding the storefront overlay district on Lake Street to include the 5 blocks that are proposed for redevelopment for the Sears project and revises the parking requirements).

Herron moved that the claims filed against the City by the following individuals be settled as follows:

690-150 Budget Rent-A-Car, \$1,329.36; Jeanene Chapman, \$3,162.05, and car rental expenses; US West Communications,

\$3,320.46; Carol Steffen, \$1,584.94; and Ailabouni Abdalla, \$4,500.

Herron further moved that the following reimbursements to police officers and fire fighters for equipment or uniform losses in the line of duty be approved:

Off. Michael Sullivan, \$95.90; and Wendy Johnson, \$499.00.
Seconded.

Minn rose to a point of order that these claims require a motion to reconsider before being acted on.

Cherryhomes submitted the point of order to the City Attorney.

Jay Heffern, City Attorney, determined that Herron's motion was in order after the Mayor's veto was sustained.

Cherryhomes' decision was to accept the determination of the City Attorney that Herron's motion was in order.

Minn appealed the decision of the Chair and requested a roll call vote on his point of order.

Minn's appeal lost.

Yeas – McDonald, Minn, Scott.

Nays – Thurber, Campbell, Biernat, Niland, Mead, Herron, Dziedzic, Cherryhomes.

Absent – Schulstad, Rainville.

Minn moved to amend the motion to include approval of the claims filed against the City by the following individuals to be settled as follows:

Tanya Stromberg-Bartlett, authorize payment of two-thirds the cost of aggregate loss due to sewer back-up, minus any other financial assistance received and at a depreciated value, not to exceed the original claim amount; and

Paul Scranton, authorize payment for damages caused by sewer back-up only, minus any other financial assistance received and at a depreciated value. Seconded.

Scott moved that the subject matter of Minn's motion be referred back to the Claims Committee. Seconded.

Adopted upon a voice vote.

Herron's motion was adopted.

Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton, Mayor.

Attest: S. Ristuben, Asst City Clerk.

Cherryhomes, by unanimous consent, adjourned the Council meeting at 10:30 a.m. to a

closed session to be held immediately in Room 315 City Hall.

ADJOURNED CLOSED COUNCIL SESSION

Room 315 City Hall
Minneapolis, Minnesota
October 10, 1997 – 10:32 a.m.

The Council met in closed session pursuant to adjournment.

Present – Council Members Thurber, Campbell, Biernat, Niland, McDonald (10:35), Minn, Mead, Scott, Herron, Dziedzic, President Cherryhomes.

Absent – Schulstad, Rainville.

Also present: Jay Heffern, City Attorney; Mike Norton, Deputy City Attorney; Peter Ginder, Asst City Attorney; Steve Ristuben, Asst City Clerk; Mike Teegardin, Schulstad's Assistant; Jan Hrnecir, City Clerk's office.

Cherryhomes in the Chair.

The Alisa Clemens vs. City of Minneapolis lawsuit was considered. The meeting was tape recorded with the tape being on file in the office of the City Clerk.

Cherryhomes, by unanimous consent, adjourned the closed Council session at 11:09 a.m. to an open session to be held immediately in Room 317 City Hall.

ADJOURNED COUNCIL SESSION

Room 317 City Hall
Minneapolis, Minnesota
October 10, 1997 – 11:09 a.m.

The Council met pursuant to adjournment.

Present – Council Members Thurber, Campbell, Biernat, Niland, McDonald, Minn, Mead, Scott, Herron, Dziedzic, President Cherryhomes.

Absent – Schulstad, Rainville.

REPORT OF STANDING COMMITTEE

The **WAYS & MEANS/BUDGET** Committee submitted the following report:

W&M/Budget – Your Committee, having under consideration a report of the City Attorney outlining a proposed settlement of the lawsuit entitled Alisa R. Clemons vs. City in the amount of

\$400,000, now recommends that the matter be forwarded without recommendation.

Campbell moved that the report be amended by deleting "that the matter be forwarded without recommendation", and inserting in lieu thereof, "approval of said settlement". Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 9 Nays, 2 as follows:

Yeas – Thurber, Campbell, Niland,
McDonald, Mead, Scott, Herron, Dziedzic,
Cherryhomes.

Nays – Biernat, Minn.

Absent – Schulstad, Rainville.

Passed October 10, 1997.

Approved October 16, 1997. S. Sayles Belton,
Mayor.

Attest: S. Ristuben, Asst City Clerk.

Campbell moved to adjourn. Seconded.

Adopted. Yeas, 11; Nays none.

Absent – Schulstad, Rainville.

Adjourned.

STEVEN J. RISTUBEN,
Assistant City Clerk.
97-9744